

MINUTES

BOARD OF COMMUNICATIONS DISORDERS AND SCIENCES

Date: August 30, 2005

Time: 10:20 a.m. CDT

Location: Cumberland Room, Ground Floor
Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247-1010

Members Present: Dr. Melinda Richards, Chair
Ms. Donna Schwaber, Secretary
Dr. Brian Burkey, Physician
Ms. Nakeda Rochelle Kirby, Consumer
Dr. Dan Orchik
Dr. William W. Dickinson

Members Absent: Dr. Sandra Newson, Speech Pathologist

Staff Present: Ms. Bonnie Ferrell, Board Administrator
Ms. Nicole Armstrong, Advisory Attorney
Ms. Marva Swann, Unit Director
Mr. Jerry Kosten, Rules Coordinator
Ms. Brandi Bozarth, Litigating Attorney
Ms. Robbie Bell, Ex Officio

A quorum being present, the Board meeting was called to order by Dr. Melinda Richards 10:20 a.m.

Office of General Counsel

Ms. Nicole Armstrong reminded the Board members of their responsibilities under the conflict of interest policy and requested that any member who had not already done so, sign the conflict of interest policy.

Ms. Armstrong presented the Office of General Counsel Report and the status of the following rule changes:

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Rules:

Effective October 17, 2005:

- Tenn. Comp. R. & Regs. 1370-.01, .05, .07, .10, .14 - regarding letters of notification for incomplete applications, supervision standards for Clinical Fellows and Speech Language Pathology Assistants, and deletion of the signature requirement for application photos.

Under review by the Attorney General:

- Tenn. Comp. R. & Regs. 1370-1-.05 – regarding criminal background checks for initial applicants for licensure.

Litigation

The Office of General Counsel, Tennessee Department of Health, currently has four (4) open cases pertaining to the Tennessee Board of Communications Disorders and Sciences. Three (3) of the cases pertain to Speech Language Pathologists and one (1) pertains to an Audiologist.

Mrs. Brandi Borzath informed the Board on the following contested cases:

Mr Mark Roseberry, SLP #1476

Unprofessional conduct or violation of the CODE ANN. § 63-17-117(2), and Rule 1370-1-.13(8) of the Official Compilation of Rules and Regulations of the State of Tennessee (O.C.R.R.S.T.) which includes “Fraud or deceit in practice as a speech pathologist” and “false statements or representations” in the definition of unprofessional and unethical conduct.

Mr. Roseberry signed a Consent Order agreeing to the following:

1. The respondent’s license is hereby **REVOKED**.
2. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Consent Order.
3. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its order without further process.

Dr. Dan Orchik made a motion and Ms. Donna Schwaber seconded the motion to approve the consent order. The motion carried.

Ms. Barbara Buell, SLP#810

Unprofessional conduct or violation of the CODE ANN. § 63-17-117(2), and Rule 1370-1-.13(8) of the Official Compilation of Rules and Regulations of the State of Tennessee (O.C.R.R.S.T.) which includes “Fraud or deceit in practice as a speech pathologist” and “false statements or representations” in the definition of unprofessional and unethical conduct.

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Ms. Buell signed a Consent Order agreeing to the following:

1. Respondent's license is hereby placed on **PROBATION** for a period of two (2) years.
2. Respondent agrees to obtain fifteen (15) hours of continuing education in the areas of documentation and client billing in addition to her annually required continuing education.
3. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its order without further process.

Dr. Orchik made a motion and Ms. Schwaber seconded the motion to approve the consent order. The motion carried. The motion carried.

Ms. Esther Remer, SLP#126

T.C.A § 63-17-124 AND 1370-1-.12 submitting continuing education.

Ms. Remer signed the following Agreed Order:

1. Respondent **SURRENDERS** her license to practice as a speech pathologist in the state of Tennessee. This Surrender shall have the same effect as revocation of the license.

Ms. Schweber made a motion and Dr. Orchik seconded the motion to approve the consent order. The motion carried. The motion carried.

C.D.S Rules

Mr. Jerry Kosten explained the amendment to Rule 1370-1-.05 regarding Criminal Background Checks on all new applicants.

Dr. Brian Burkey made a motion to accept the amendment as written. Ms. Schwaber seconded the motion and the motion carried.

Mr. Kosten reviewed a proposed notice of rulemaking hearing with the Board regarding the following rules:

1370-1-.01, 1370-1-.03, 1370-1-.05, 1370-1-.06, 1370-1-.08, 1370-1-.09, 1370-1-.10, 1370-1-.11, 1370-1-.12, 1370-1-.13, 1370-1-.14, 1370-1-.15, 1370-1-.16, 1370-1-.17, 1370-1-.19, and 1370-1-.20.

Dr. Burkey made a motion to authorize a rulemaking hearing regarding the amendments with the follow changes.

1. Accept reinstatement for licenses expired over five (5) years if they submit proof of continuing education.
2. Send initial approval if a letter is submitted directly from Department Chair or other program head attesting to the standards of the Practicum and the applicants successful completion. This is the same letter that ASHA requires.

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3. Allow CFY's a three (3) month extension and delete renew only once.
The motion was seconded by Dr. Orchik and the motion carried.

H.I.S. Rules

Mr. Kosten presented rule amendments regarding Criminal Background Checks on all new applicants that was approved by the Council at their August 4, 2005 meeting. Ms. Schwaber made a motion to approve and Dr. Orchik seconded the motion. The motion carried.

Disciplinary Report

Ms. Lea Phelps informed the Board that there were no new disciplinary actions to report at this time.

Investigative Report

Ms. Phelps informed the Board that there were currently five (5) open complaints in investigations at this time.

Ms. Ferrell presented the Application for Licensure as a Speech Pathologist or Audiologist. A motion was made by Dr. Burkey to approve the application with the following amendments:

1. Change Certified to Notarized on copy of birth certificate.
2. Delete " SIGNED AND NOTARIZED" from the photograph..

Ms. Schwaber seconded the motion and the motion carried.

Applications

Ms Ferrell presented the Board with the following applications that she had drafted:

1. Registration for Out of State licensees to work in Tennessee for up to thirty days.

Ms. Schwaber made the motion to accept as written. Dr. Burkey seconded the motion and the motion carried.

2. CFY Application.

Mr. Orchik made a motion to approve the application if Ms. Ferrell added Aud Extern to the heading and changed CFY Registrant to CFY Applicant. Dr. Burkey seconded the motion and the motion carried.

3. Speech Pathology Assistant Registration Form.

Dr. Burkey made the motion to approve the application as written. The motion was seconded by Dr. William Dickinson and carried.

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Minutes

Dr. Burkely made the motion to approve the minutes of the February Board 22, 2005 Board meeting as written. The motion was seconded by Ms. Schwaber and the motion carried.

A motion was made to accept the minutes from the August 4, 2005 Council meeting as written by Dr. Orchik. Ms. Nakeda Kirby seconded the motion and the motion carried.

Administrators Report

Ms. Ferrell reviewed the Administrators report with the Board informing them that 16 speech pathologists and one (1) audiologist renewed on line in the month of July, 2005. Ms. Ferrell also informed them of the number of speech pathologists and audiologists license that were 'Active, Retired, and in Failed to renew in the month of July, 2005.

Reinstatement

After much discussion regarding California being acceptable for reciprocity Dr. Orchik made a motion to accept their standards for reciprocity. Ms. Schwaber seconded the motion and the motion carried.

Ratification

A motion was made by Dr. Orchik to grant licenses to the following licensees that Ms. Ferrell had initially approved. Ms. Schwaber seconded the motion and the motion carried.

SPEECH

1. Alexander, Jerie Michelle – 3105
2. Arledge, Amanda C. – 3086
3. Branson, Steven James - 3344
4. Brown, Gretchen – 3145
5. Brown, Rebecca H. – 3159
6. Calvert, Bethany Dawn – 3062
7. Cameron, Kristen Lynn – 3071
8. Cheeks, Shelley Ann – 3319
9. Click, Rebecca Daye Dunn - 3151
10. Cochran, Ryan L. – 3102
11. Collett, Shauna L. – 3091
12. Collier, Meredith Christine - 3263
13. Collins, Amy Leigh - 3268
14. Covington, Melissa Nicole – 3223
15. Drinnon, Holly A. Hackworth - 3083
16. Fleming, Adrienne Leigh – 3101
17. Fialix, Jeremy R. - 3155
18. Francois, Jennifer L. – 3033
19. Franklin, Barbara S. – 3297

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20. French, Nathan McNeil - 3057
21. Gates, Julie Lynn – 3247
22. Garner, Amanda B. – 3097
23. Gehrlein, Bethany Lyn - 3282
24. Glascock, Lauren S. - 3166
25. Guimond, Lori J. – 3089
26. Hale, Vickie Lynn – 3241
27. Hester, Andrea Cobrin – 3237
28. Hofheinz, Monica K. – 3125
29. Hunnicutt, Karen L. – 3043
30. Hyler, Page Moorefield – 3235
31. Iwanczyk, Rebecca Lee - 3248
32. Jackson, Kayla F. – 3080
33. Kane, Susan Beverly - 3242
34. Kerlin, Kristina Marie – 3225
35. Kibler, Amy B. – 3133
36. Kimmell, Kristi Wood - 3281
37. Kimmons, Mia Cole – 3231
38. Kipling, Debra Ann – 3228
39. Kopnick, Kelly Jo – 3113
40. Lancaster, Rebecca L. – 3034
41. Larkins, Tristaca V. – 2922
42. Lawrence, Erin E. - 3127
43. Lewis, Julie Tomblin - 3196
44. Lewis, Wendy Lavette – 3100
45. Luna, Tarcilla S. - 3291
46. Mabry, Jessica Rachelle – 3258
47. Marotti, Abby May – 3041
48. Martin, Caroline Rebekah - 3111
49. Martin, Julia Bowman – 3233
50. Mayton, Pamela Sue – 3280
51. McCullaugh, Kimberly Y. - 3054
52. McDaniel, Barbara Ann – 3303
53. McMinn, Allison - 3336
54. McNatt, Lauren K. – 3161
55. McQuaig, Christy – 3252
56. Moore, Caroline B. – 2912
57. Moses, Jamie H. – 3304
58. Norris, Jennifer Ashurst - 3132
59. Pennington, Marisa R. - 2928
60. Potter, Jennifer Leah - 3243
61. Powers, Heather M. – 3066
62. Powers, Lauren C. – 3275

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63. Quillen, Jennifer Lockhart – 3094
64. Reed, April S. - 3185
65. Rich, Betty B. – 3308
66. Rousseau, Bernard - 3195
67. Rubio, Melissa Ann-Marie – 3214
68. Saltuklarglu, Tim – 3230
69. Schneider, Beth A. – 3163
70. Spearman, Kara Renee – 3290
71. Starkman, Kimberly Ann - 3300
72. Stebbins, Julia D. - 3136
73. Stump, Deborah Kay – 3229
74. Thompson, Kimberly M. – 3219
75. \Timmerman, Michelle Leigh - 3333
76. Tully, Erin Siobhan - 3121
77. Wayland, Ashley Michelle – 3035
78. White, Heather Lynn – 3238
79. Wilhjelm, Karen – 3078
80. Williams, Kyn D. - 3298

AUDIO

1. Collins, Susan Kay - 1429
2. Dickson, Stacy Sarah – 1422
3. Jarvis, Karen Patrice – 1432
4. Jones, Amanda E. - 1395
5. Lee, Bridget – 1419
6. Logan, Wanda Tonice - 1420
7. Rose, Andrea Danielle - 1426
8. Tutt, Karen A. – 1417
9. Wilde, Natalie - 1425
10. Zapf, Lori Hambrick - 1423

SPEECH RECIPROCITY

1. Adams, Candice Fern – 3326 - IL
2. Bryan, Abby Kathryn – 2675 – AR
3. Burkett, Jody Charlene – 3314 - CA
4. Cleary, Julie E. – 3208 – MA-FL-MD
5. Coppenger, Jodi M. – 3256 – OH-PA
6. Denbo, Erin – 3239 - -CA
7. Dupree, Almecia Joyce – 3273 – LA
8. Harris, Katherine M. – 3257 – MA
9. Henderson, Elaine – 3307-AR
10. Huffststler, Audra Elizabeth – 3244 - GA
11. Martini, Mary Ella – 3249 – WA
12. McCarthy, Jullian Heather – 3292-ME
13. McFall, Vanessa Ann – 3287 – NC

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14. Raus, Carl A. – 3337 – GA
15. Shea, Lori Ann – 3331 – WV - LA
16. Snyder, James W. - 3324
17. Waldmann, Michele Cary – 3250 – OH - KY
18. Wegman, Allison Marie – 3310-MA

Correspondence

A written request from WILLO-T.E.A.M. requesting approval of a training class they provided speech pathologists on April 13, 2005. After much discussion, the Board requested Ms. Armstrong to draft a letter to them explaining that the Board does not approve training classes after the fact. To receive an approval, the request must be presented to the Board at least thirty days prior to the date of the training class.

Board Requests

The Board requested Ms. Ferrell to Sunshine the following items for their next meeting:

1. Reviewing and taking action on instructions for reinstatement of retired licenses.
2. Speech Pathologists advertising free hearing screening.
3. Hearing Instrument Specialists using alternate titles for themselves in advertising.
4. Hearing Instrument Specialists advertising hearing tests/etc. without the word “AID”
5. “Instructions for Reinstatement of a retire license”.

The Board requested Ms. Ferrell to do a mass mailing to all active licensed Speech Pathologist and Audiologist regarding amendments as soon as they become effective.

Adjournment:

Being no further business, Dr. Orchik made the motion to adjourn. Dr. Burkey seconded the motion. The motion carried and the meeting was adjourned at 2:50 pm.

Dr. Melinda Richards, Board Chair

Date

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